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IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE

E/S Back River Neck Road, 186'

(+/-) from c/l Williams Ave * ZONING COMMISSIONER

151 Back River Neck Road

15th Election District * OF BALTIMORE COUNTY

5th Councilmanic District

Legal Owner: 151 BRN Partner- * Case No. 97-335-A

ship LLP

Lessee: Socratis Mamalis, Petitioner

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 151 Back River Neck Road in eastern Baltimore County. The Petition is filed by Gary S. Salvo, General Partner of 151 Back River Neck Road, LLP, property owner, and Socratis Mamalis, on behalf of that business trading as Philadelphia Style Pizza/Subs, Lessee. Variance relief is requested to permit 15 parking spaces in lieu of the required 32 spaces by Section 409.6.A.2 of the Baltimore County Zoning Regulations (BCZR). The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, received into evidence as Petitioner's Exhibit No. 1.

Appearing at the public hearing held for this case was Nikolaos Mamalis, on behalf of Sophie and Jane II, Inc., t/a Philadelphia Style Pizza/Subs. Also present was Lawrence E. Jones, Civil Engineer and Patrick O'Keefe, a Zoning Consultant retained by the Petitioner. The Petitioner was represented by Douglas L. Burgess, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject site is roughly rectangular in shape, approximately .29 acres in area, zoned B.L.-A.S. The property is located adjacent to Back River Neck Road in the Essex community of Baltimore County. The property is located within a commer-

Order Received Roy Rung

cial area. Retail uses, service stations and similar commercial enterprises are all located nearby.

Previously, the site was used as a High's Convenience Store. However, the property owner and lessee have converted same to a carry out/fast food type restaurant. As shown in photographs submitted at the hearing, the business known as Philadelphia Style Pizza/Subs is now up and running at the site.

Mr. Mamalis, on behalf of that business, testified that approximately 90% of his sales are carry out. He indicated that many of the employees of nearby businesses patronize his shop and there is a significant amount of foot traffic. He also indicated that most customers call in orders, pick up those orders and do not remain on the premises for a lengthy period of time. He also indicated that he has customer seating for 32 persons within the restaurant. All of this testimony was offered to support his contention that the existing parking is sufficient.

The Petition for Variance is filed because of a deficiency under the parking regulations. Based upon the square footage of the building, 32 spaces are required, however, only 15 are provided. The layout of those spaces is shown on the site plan and in the photographs that were submitted.

In addition to the above testimony and evidence, a Petition was offered in support of the request signed by many patrons of the shop. Apparently, despite the number deficiency, the amount of available parking is not problematic for this property or others in the vicinity. Additionally, counsel for the Petitioners produced a letter indicating that Mr. Mamalis had entered into an agreement to permit four employees to park at a shopping center which abuts this property. The employee's use of spaces

in that shopping center allows the spaces on site to be used entirely by customers.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Variance. In my judgment, the Petitioner has satisfied the criteria set forth in Section 307 of the BCZR. The unique size and shape of this property render it eligible for zoning relief.

Lastly, a comment is appropriate about the Zoning Plans Advisory Committee (ZAC) comments for this case. Those comments do not oppose the request, however, the report from Development Plans Review indicates that certain landscaping should be done on the site to the extent possible. The plan shows some limited landscaping in the front of the building and the photographs show a number of mature trees to the rear of the site. To the extent possible, I endorse the ZAC comment, recognizing the inherent limitations of the site and commercial locale.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______ day of May 1997 that a variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (BCZR) to permit 15 parking spaces, in lieu of the required 32 spaces, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, Development Plans Review

Division, dated February 26, 1997, are adopted in their entirety and made a part of this Order.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES/mmn

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

Date: February 26, 1997

Department of Permits & Development

Management

FROM: Robert W. Bowling, Chief

Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting

for February 24, 1997

Item No. 335

The Development Plans Review Division has reviewed the subject zoning item. This site is subject to the Landscape Manual to the extent possible. Design issues are:

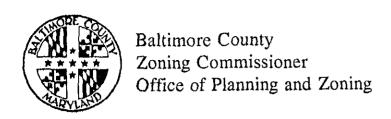
- Residential screen in rear
- Streetscape along Back River Neck Road

A Final Landscape Plan must be approved before the permit may be released.

RWB:HJO:jrb

cc: File

Links



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

May 1, 1997

Douglas L. Burgess, Esquire 502 Washington Avenue, Suite 700 Towson, Maryland 21204

> RE: Petition for Variance Case No. 97-335-A Property Location: 151 Back River Neck Road 151 BRN Partnership, LLP, Petitioner

Dear Mr. Burgess:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Lawrence E. Schmidt

Zoning Commissioner

LES:mmn encl.

Mr. N. Mamalis, 324 Raussell Place, Severna Park, Md. 21146

Printed with Soybean ink on Recycled Paper



tion for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

which is presently zoned

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

Variance to allow 15 spaces in lieu of requirement per section 409.6.A.Z.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

see attached

Revised 9/5/95

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			I/We do solemn legal owner(s) of	nly declare and af f the property whi	firm, under the penalties ch is the subject of this P	of perjury, that I/we are the stition.
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Reasons

Petition for Variance to the Zoning Commissioner of Baltimore County

- 1. Only 15% of the business of Sophie & Jane II, Inc. (trading as Philadelphia Style Pizza and Subs) is sit-down; the remainder being carry-out (25%) and delivery (60%). Accordingly, the parking requirement is less than if this was a full 100% sit-down restaurant. This data is based on the other ten (10) Philadelphia Style restaurants in the Baltimore area.
- 2. Only a small percentage of the 2000 square foot restaurant is for sit-down tables. This percentage (13.2%) of the gross square footage dedicated to sit-down tables is much less than that of an ordinary restaurant.
- 3. The Petitioner would have practical difficulty and unreasonable hardship unless the variance is granted. The variance is consistent with the spirit and intent of the regulations.

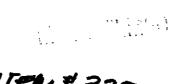
ZONING DESCRIPTION

Beginning at a point on the north side of Back River Neck Road which is 60 feet wide at the distance of 186 feet 6 inches east of the centerline of the nearest improved intersecting street, Williams Avenue, which is 50 feet wide. Thence the following courses and distances:

S.29 42' 01" W. 190.93 feet, N.33 47' 59" W. 72.83 feet, N.29 42' 01" E. 189.53 feet, S.33 47' 59" E. 72.83 feet to the place of beginning being known and designated as Lot No. 7 in Section D, as laid down in Plat of French's Park and recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 6, Folio 138.

Also known as 151 Back River Neck Road and located in the 15th Election District.

SANTE OF MARYLAND



NOTICE OF HEARING

The Zonling Commissioner of Baltimore County, by authority of the Zonling Act and Regulations of Baltimore County will hold a public hearing in Tow-son, Maryland on the property identified herein as follows:

Case: #97-335 151 Back River Neck Road Philadelphia Style Pizza and Subs-E/S Back River Neck Road, 186 ± from c/1 Williams Avenue 15th Election District 5th Councilmanic Legal; Dwner(s): 151 BRN Partnership, LLP

Variance to allow 15 spaces in lieu of the requirement for 32 spaces.

Hearing: Monday, March 17, 1997 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Cail 887-3953.
(2) For Information Concerning the File and/or Hearing, Please Cail 887-3391.

2/307 Feb. 20 C121613

CERTIFICATE OF PUBLICATION

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TOWSON,	MD.,	2 1	20	, 1947.7
THIS IS TO CERTIF	FY, that the	annexed	d adverti	sement was
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Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue

Attention: Ms. Gwendolyn Stephens

The sign(s) were posted on

Towson, MD 21204

Ladies and Gentlemen:

RE: Case No.: 97-335-A Petitioner/Developer: MAMALIS, BTAL
Yo SOCRATES MAMALIS Date of Hearing/Closing: 3/17/97. This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 151 BACK RWER NECK 2/2/97 (Month, Day, Year) Sincerely, (Signature of Sign Poster and Wate) Patrick M. O'Keele (Printed Name) 523 Penny Lane (Address) Hunt Valley, MD 21030 (City, State, Zip Code)

(410) 666-5366

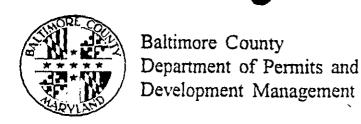
(Telephone Number)

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97.335-A #151 BACK RIVER NECK RD.

Request for Zoning: Varian	ce, Special Exception, or Special Hearing
Date to be Posted: Anytime	before but no later than
Format for Sign Printing, B	lack Letters on White Background:
	ZONING NOTICE
	Case No.: 97- 335 A
	A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD
	· <u> </u>
PLACE:	
DATE AND TIME:	
REQUEST: To	olbu 15 parking 9ph ees in
lieu of	the required 32 parking
Spaces.	
POSTPONEMENTS DUE TO	WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391.
DO NOT REMOVE THI	S SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW
	HANDICAPPED ACCESSIBLE
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AJ:ggs

Development Processing County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

	ARNOLD JABLON, DIRECTOR
For newspaper	advertising:
Item No.: 3	35
Petitioner:	Socratio Mamalia
Location:	151 Back River Neck Rd. 21221
PLEASE FORWAR	D ADVERTISING BILL TO:
NAME:	Socratio Mamalia Phila. Style Pizza &
ADDRESS:	1517 Raisterstown Road Smite 100
	Pikesville, Md. 212_
PHONE NUMBER:	410/544.7018

(Revised 09/24/96)

Witte Cart Misses

TO: PUTUXENT PUBLISHING COMPANY 2/20/97 Issue ~ Jeffersonian

Please foward billing to:

Socratis Mamalis Sophie & Jane, II, Inc. 1517 Reisterstown Road, Suite 100 Baltimore, M D 21208 544-7018

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-335
151 Back River Neck Road
Philadelphia Style Pizza and Subs
E/S Back River Neck Road, 186'+/- from c/l Williams Avenue
15th Election District - 5th Councilmanic
Legal Owner(s): 151 BRN Partnership, LLP

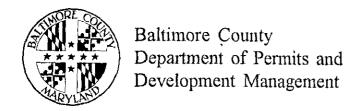
Variance to allow 15 spaces in lieu of the requirement for 32 spaces.

HEARING: MONDAY, MARCH 17, 1997 at 2:00 p.m. in Room 118, 01d Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

February 19, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-335-A
151 Back River Neck Road
Philadelphia Style Pizza and Subs
E/S Back River Neck Road, 186'+/- from c/1 Williams Avenue
15th Election District - 5th Councilmanic
Legal Owner(s): 151 BRN Partnership, LLP

Variance to allow 15 spaces in lieu of the requirement for 32 spaces.

HEARING: MONDAY, MARCH 17, 1997 at 2:00 p.m. in Room 118, Old Courthouse.

Arnold Jablon Director

cc: Gary Salvo

David L. Mowl

Sophie & Jane, II, Inc.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MARCH 2, 1997.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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PETITION ON BEHALF OF # 151 BACK RIVER NECK RD. PHILADELPHIA STYLE PIZZA AND SUB, ZONING VARIANCE CASE # 97-335-A WE THE UNDERSIGNED SUPPORT THE PROPOSED VARIANCE FOR 15 PARKING SPACES IN LIEU OF 32 REQUIRED

NAME	ADDRESS	ZIP COPE
JOHN WEWER	184E, KINGSTON PK LA	21550
William Storm	7603 Old Horford Rd	21234
JOYCE JACUBS	2289 CORSICA RD	2/22/
Victor Coff us	19. Harnson dus	21220
	216 N. MARLYN AU	21021
DOLEU	216 N. Manhen Ave	215 21
Q. Carrole		21.72/
R. Bonder S Simmons	216 N. Marlyn Ave.	X1.42)
S SINLUONS		21231
T. Rogers		217.21
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Carry O Brounds,	1 ((((, (
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PETITION ON BEHALF OF # 151 BACK RIVER NECK RD. PHILADELPHIA STYLE PIZZA AND SUB, ZONING VARIANCE CASE # 97-335-A WE THE UNDERSIGNED SUPPORT THE PROPOSED VARIANCE FOR 15 PARKING SPACES IN LIEU OF 32 REQUIRED

NAME	ADDRESS	ZIP CODE
Janar Terry	231 D. Dorgun	2122/
		01271
JAMCBlackwell	4 SKIPTACK CD	2127
Sean-Bergin	1029 EBHT 57.	5,551
A. Cooper	14104 Hadwick	21221
Kamb	TOP INGAW, CAG	3/22(
John Hilligge	700 W. Kingsway	" IIAN (
Fola Culed	/WATERWOODS.	2122/
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Mary Ember	1005 N. Marlyaa	ve 21221
aine Oleska	1503 Hurford SQD	
Valerie Chuncher	aza annian Do	21014
William A Gillipa	46 CUTLASS (7	£ 271.21-303
holas Sherde.	1308A maple ave	21221
WECOK	200 NANTICOKE KD	21221

PETITION ON BEHALF OF # 151 BACK RIVER NECK RD, PHILADELPHIA STYLE PIZZA AND SUB, ZONING VARIANCE CASE # 97-335-A WE THE UNDERSIGNED SUPPORT THE PROPOSED VARIANCE FOR 15 PARKING SPACES IN LIEU OF 32 REQUIRED

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rook cook	11	11
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James Smiley	50% armstrong done	3/32/ 2/22/
Sherry Jackett	507 annatrong done	71271
BRAL .	1455 BROWNING DR.	21221
Cheroa faimes	2010 S. Iver lang	21051
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Mr. E. Smill	954 Rusalo CIR	2122/
Anthony Schrett Cindy Thomas	19 Leyland Cf.	21221
andy Thomas	(105 Sunderston Rd.	15515
Raymond W. Faloni	1404-H BROWNING	DR. 21221
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- Ratinia Stephen	907 Latz AV	2122/
Jania M. Henry	# 1 Cax. Brevie 12	21226
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" Clindy Luckam"	1045 S. MarshyD DUE	01021

PETITION ON BEHALF OF # 151 BACK RIVER NECK RD. PHILADELPHIA STYLE PIZZA AND SUB, ZONING VARIANCE CASE # 97-335-A WE THE UNDERSIGNED SUPPORT THE PROPOSED VARIANCE FOR 15 PARKING SPACES IN LIEU OF 32 RECUIRED

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PETITION ON BEHALF OF # 151 BACK RIVER NECK RD, PHILADELPHIA STYLE PIZZA AND SUB, ZONING VARIANCE CASE # 97-335-A WE THE UNDERSIGNED SUPPORT THE PROPOSED VARIANCE FOR 15 PARKING SPACES IN LIEU OF 32 REQUIRED

NAME	ADDRESS	ZIP CODE
Chris Burke	48 Rumelia	21221
Brian ANDERS DAN DANIES	21 Rumelia	17 11
DAN DAVIES	1338 HATERA *101	2122
Juis Jones	1634 Roverwood Rd.	21221
MARK LEWANdowski	339 HOMBERG AUG.	21221
Christine Shipley	9266, A-Shinder	21221
TERON Autor) 92 Le Ashbeidge	2122/
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Margaret Baer	422 hotherists. A	JE ~91.3.01
Laura mes.	Soo katherine A	Pe. 2122)

PETITION ON BEHALF OF # 151 BACK RIVER NECK RD. PHILADELPHIA STYLE PIZZA AND SUB, ZONING VARIANCE CASE # 97-335-A WE THE UNDERSIGNED SUPPORT THE PROPOSED VARIANCE FOR 15 PARKING SPACES IN LIEU OF 32 REQUIRED

NAME

Gat Cary William At Ellerdayor

Tony Akinola

Michelle Schwartz Rochel DeShonax

ADDRESS

5036 Wrightlede

& BLAder Rul

2 Shern Delewy.

1404 Stengel Ave

78241 oakwood Rd

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21205

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PETITION ON BEHALF OF # 151 BACK RIVER NECK RD. PHILADELPHIA STYLE PIZZA AND SUB, ZONING VARIANCE CASE # 97-335-A WE THE UNDERSIGNED SUPPORT THE PROPOSED VARIANCE FOR 15 PARKING SPACES IN LIEU OF 32 REQUIRED

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NAME

ADDRESS

DAVID Scott Smith

1660 Poles Rel. #21271

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PETITION ON BEHALF OF # 151 BACK RIVER NECK RD. PHILADELPHIA STYLE PIZZA AND SUB, ZONING VARIANCE CASE # 97-335-A WE THE UNDERSIGNED SUPPORT THE PROPOSED VARIANCE FOR 15 PARKING SPACES IN LIEU OF 32 REQUIRED

NAME

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SCARLET WockenFuss 4 Candmark Court 21221 JASON WOCKEnFuss 4 Landmark Court 21221 PETITION ON BEHALF OF # 151 BACK RIVER NECK RD. PHILADELPHIA STYLE PIZZA AND SUB ZONING VARIANCE CASE # 97-335-A WE THE UNDERSIGNED SUPPORT THE PROPOSED VARIANCE FOR 15 PARKING SPACES IN LIEU OF 32 REQUIRED

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PETITION ON BEHALF OF # 151 BACK RIVER NECK RD. PHILADELPHIA STYLE PIZZA AND SUB ZONING VARIANCE CASE # 97-335-A WE THE UNDERSIGNED SUPPORT THE PROPOSED VARIANCE FOR 15 PARKING SPACES IN LIEU OF 32 **REQUIRED**

NAME

anute Stawart

ADDRESS

19 Luffing Court Balto. MD 21221

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PETITION ON BEHALF OF # 151 BACK RIVER NECK RD. PHILADELPHIA STYLE PIZZA AND SUB, ZONING VARIANCE CASE # 97-335-A WE THE UNDERSIGNED SUPPORT THE PROPOSED VARIANCE FOR 15 PARKING SPACES IN LIEU OF 32 **REQUIRED**

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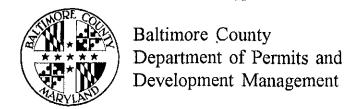
PETITION ON BEHALF OF # 151 BACK RIVER NECK RD, PHILADELPHIA STYLE PIZZA AND SUB, ZONING VARIANCE CASE # 97-335-A WE THE UNDERSIGNED SUPPORT THE PROPOSED VARIANCE FOR 15 PARKING SPACES IN LIEU OF 32 REQUIRED

NAME

BOCK M. IKES

ADDRESS 308 Wowlow RP BALTO, MD. 21721

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Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

March 14, 1997

Mr. Gary S. Salvo 11509 Pulaski Highway White Marsh, MD 21162

RE: Item No.: 335

Case No.: 97-335-A

Petitioner: Gary S. Salvo

Dear Mr. Salvo:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 7, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely

W. Carl Richards, Jr. Zoning Supervisor

WCR/re
Attachment(s)

Printed with Soybean Ink on Recycled Paper

No.

? Richard Ja

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: February 26, 1997

Department of Permits & Development

Management

F'ROM:

Robert W. Bowling, Chief

Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for February 24, 1997

Item No. 335

The Development Plans Review Division has reviewed the subject zoning item. This site is subject to the Landscape Manual to the extent possible. Design issues are:

- Residential screen in rear
- Streetscape along Back River Neck Road

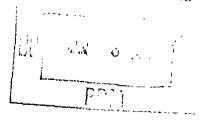
A Final Landscape Plan must be approved before the permit may be released.

RWB:HJO:jrb

cc: File

Baltimore County Government (Fire Department





700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: February 28, 1997

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW Location: DISTRIBUTION MEETING OF FEBRUARY 24, 1997.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

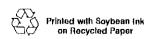
- 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

THE ABOVE APPLIES TO THE FOLLOWING ITEM NUMBERS: 319, 322, 326, 327, 328, 329, 330, 334, AND 335

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: February 27, 1997

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 321, (335,) 338, 340, 341, and 343

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Eary L. Kerns

Prepared by:

Division Chief:

PK/JL



David L. Winstead Secretary Parker F. Williams Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 2.21.57

Item No. 335

尺丁

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

In Ronald Burns, Chief

Engineering Access Permits

P. J. Bredh

Division

LG

PETITION PROBLEMS

#331 --- JCM

- 1. Need attorney legal owner is incorporated.
- 2. Sign form incorrect.

#332 --- JRF

1. Not marked "floodplain" on folder.

#333 --- RT

- 1. No telephone number for legal owner.
- 2. No sign form in folder.

#334 --- JRF

- Need typed name and title of person signing for contract purchaser.
- 2. Sign forms incorrect.

#335 --- RT

1. Sign form incorrect.

NEWTON A. WILLIAMS PHOMAD J HENNEH WILLIAM PENGLEHART, JR STEPHEN U NOUAN" HOURST'L HANLEY, JA. PORENT & GLUSHAKOW STEPHEN M. SCHENNING POUGLAST BURGESS ROBERT E CAHILL, JR G. WILLIAM CLAHK E BRUCE JONES .. STUARTA SCHADT

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LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS CHARTIONION

SUITE 700, NOTTINGHAM CENTRE 502 WASHINGTON AVENUE TOWSON, MARYLAND 21204-4528 (410) 823-7800 TELEFAX: (410) 296-2765

JAMESO NOLAN RETIRED (980)

J EARLE PLUMHOFF

RALPH & DEITZ

WRITER & DINEET CIAC 643.

January 2, 1997

Mr Nick Mamalis Officer Sophie and Jane II, Inc. t/a Philadelphia Style Subs and Pizza

> Sophic and June, II, Inc., t/n Philadelphia Style Subs and Pizza RE:

Dear Mr. Mamalis:

Kindly accept this letter as a license for you to park up to four (4) employees' automobiles at the Country Ridge Shopping Center on Back River Neck Road. This license shall be for the term of your existing five (5) year lease.

Your employees must park at the areas of the parking lot away from all stores and critically used customer spots.

The use of the parking spots is a courtesy to accommodate your zoning needs. You and your employees, by accepting said spaces, agree to hold the Country Ridge Shopping Center Incorporated harmless for any claims, acts or omissions associated with the use of said spaces.

Thank you for your attention to this matter.

Sincerely yours,

Douglas L. Burgess Attorney for Country Ridge Shopping Center, Inc.

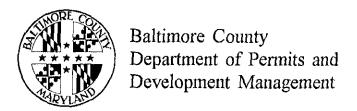
Dib

cc: Mr. Gary Salvo, President

Country Ridge Shopping Center, Inc.

Dany S. Daler PRES. COUNTRY RIDGE SHOPPING CENTER, INC

17EM # 335



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

December 10, 1998

Diane Leigh Davison, Esquire 1517 Reisterstown Road, Suite 101 Baltimore, Maryland 21208

Dear Ms. Davison:

RE: 151 Back River Neck Road, Zoning Case 97-335-A, 15th Election District

Pursuant to your letter of December 2, 1998 regarding the above referenced property, please be advised of the following information.

As ordered by the Zoning Commissioner in Case #97-335-A, a variance from the <u>Baltimore County Zoning Regulations</u> (BCZR), Section 409.6.A.2 to permit 15 parking spaces in lieu of the required 32 spaces was granted on May 6, 1997.

It is the opinion of this office that the variance granted in case #97-335-A will apply to a new owner/lessee provided that the use of the property continues to be a fast food/carry out restaurant operation.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

Burno Rudarto

Bruno Rudaitis Planner II

Zoning Review

BR:cjs

c: zoning case 97-335-A

DIANE LEIGH DAVISON ATTORNEY AT LAW 1517 REISTERTOWN ROAD, SUITE 101 BALTIMORE, MARYLAND 21208

BALTIMORE, MARYLAND 212
TEL: (410) 486-0900

FAX: (410) 486-0901 lawgal@usa.net

December 2, 1998

12/7/98 12/7/98 NOW 800mm

Mr. Arnold Jablon, Director Permits & Development Management 111 W Chesapeake Ave, Room 111 Towson, MD 21204

Re: Opinion Letter Request

Case No. 97-335-A

Dear Mr. Jablon:

I represent Sophie and Jane II, Inc. t/a Philadelphia Style Pizza & Subs located at 151 Back River Neck Road, Petitioner in the above-referenced case. Such business was sold in November to a new corporation, Bergamos, LLC, which is continuing the same operations at the location t/a Philadelphia Style Pizza & Subs.

On 5/6/97, the Zoning Commissioner granted the zoning variance (above case number) "to permit 15 parking spaces in lieu of the required 32 spaces" at the said location (copy enclosed). The new owners however, are concerned that such variance may not likewise apply to a new owner. I was informed by Kate in your office that unless specific "cease" language exists in the approved variance, such variances run with the property.

I would accordingly hereby request an Opinion Letter to this effect, in order to assure the new owners, and confirming that so long as the use and operation of the premises is the same, said variance applies to any new owner of the business at such location, *ie*, that the variance runs with the property.

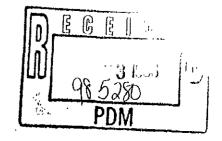
As required, I have enclosed a check in the amount of \$40.00 for the cost of the filing fee therefore. I would greatly appreciate it if you would please return the Opinion Letter to my office at the address above.

Thank you in advance for your kind attention to and consideration in this matter.

Very truly yours,

Diane Leigh Davison, Esquire

Enclosure DLD/nsp



CLEAST PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

	attorney for Owner, 151 BRN
Douglas S. Burges	ADDRESS SOD Washington Avenue, Ste 700 210 Washington Avenue, Ste 700 Towson, MO 21204
Douglas d. 1. Jurges	
1 arus Orago	523 PENNY LA. HUNT VALLEY 21030
L'ANDRENCE E. PONES	324 Rowssell Pl. Sevenge Port 2146
NIKOLAOS MAMALIS	324 RAUSSELL PL. SEVERNA PARKELING
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BRING YOUR TASTE BACK TO LIFE!

DSSEX NOW OPEN By Popular Demand!

Eat-In Carry-Out

NOW FRESH BAKED BREAD & COOKIES ON PREM

Visit our Salad Bar

DELICIOUS EXPRESS MENU **5 MINUTES IN & OUT!**

See Your Order Cooked Before Your Eyes!





Fresh Baked Cookies





Fresh Salad





Fresh Turkey

- Fresh Baked Homemade Stlye Bread on Premises Fresh Pizza Dough Daily
- Fresh Cooked Turkey Breast Homemade Style Recipes
- Fresh Cooked Ground Beef for Pizza Fresh Cooked Italian Sausage for Pizza

WITH GRANDMOTHER'S SECRET RECIPE

LIMIT 1 PER CUSTOMER WITH THIS COUPON. NOT VALID WITH ANY OTHER OFFERS FOR LIMITED TIME ONLY. EAT-IN, CARRY-OUT & DELIVERY

SUB, FRIES & 16 oz. FOUNTAIN SODA

LIMIT 1 PER CUSTOMER WITH THIS COUPON, NOT VALID WITH ANY OTHER OFFERS FOR LIMITED TIME ONLY, EAT-IN, CARRY-OUT ONLY

COOKS • DRIVERS

CUSTOM SERVICE ORDER TAKERS



ONLY 50¢ PER INCH

Please Visit Our Other Locations:

- Towson Timonium Parkville
- Perry Hall
 Bel Air
 Catonsville
 - Severna Park Pikesville
- Linthicum Ellicott City Laurel



BRING YOUR TASTE BACK TO LIFE

Grandmother's Secret Recipe Old Fashion Thin Crust Cheese Pizza

PIZZA FRESI 100%	FRESH DOUGH DAIL 100% REAL CHEESE	DAILY	
AZZIA NV	Medium 12	XLarge 16"	£
heese	7.25	9.50	100
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WAILABLE TOPPINGS: Pepperoni, Onion, Mushrooms sppers, Hot Peppers, Sliced Tomato, Ham, Broccoli, nchovies, Fresh Ground Beef, Extra Cheese, ack Olives, Green Olives, Green Peppers, Bacon, Sweet

Toppings 35c each

DELICIOUS & HOT 12" 11.95 SPECIAL DELIGHT PIZZAS 16" 16.95

sage, Onions, Hot Peppers, Black Olives, Fresh Sliced ves, Fresh Cooked Italian Sausage, 700% Beef, Hot Peppers, Italian Satami, Anchov peroni, Mushrooms, Onions, Green Peppers, Black Dives, Fresh Cooked Italian Saussige, 400 % Theal Garum Fornatoes & Topped by Feta Cheese with Oreganor PHILLY STYLE GREEK: Our Secret Sauce with Sau-

Black Olives, Onions, Green Olives, Hot Peppers & Double Mushrooms, Green Peppers, Fresh Sliced Typatoes PHILLY STYLE VEGETARIANE OF SecretS ice wil

toes, Onions & Double Checker with 100% Real Ground Beef, Salami, Ham, Pennaron Fresh Cooked Sausage, Bacon & Dou PHILLY STYLE MEAT LOVERS: Our Secret Same opped with 100% Fresh Rib Line Ste

PHILLY STYLE BROCCOLL Fresh Seasonings,

PHILLY STYLE WHITE Fresh Dough Topped with Mozzarella, Proviologic Romano Cheeses with Fresh Oregano Cante & Olive Oil.

Choice of Dressings:

SPECIALTY PIZZAS 12" 8.25

ANY WOS! SUBS! SUB FBIES & & Two Orders of French Tres 116 oz FOUNTAIN SODA! With One Topping Each Philadelphia Style Pizza & Subs Philadelphia Style Pizza & Subs

YOUR CHOICE OF TOPPINGS \$1.25 EACH Antipasto Julienne..... Cheese Steak Pizza Cheese & Sauce Broccol with H Veggie & Che Fresh Sausage & Con Cooked Turkey Breast heese Steak 7-95 Pizza Che Extra Topping (1-84 a) hiji yang Oniona Tresh Cooked Salasage, G ettuce, Tomato, Mayonnaise, Onions, Hots, Oil & Sease meroni & Cheese OVER STUFFED HOAG STROMBOLIS y with Tuna. resh Tomatoes & Sauce • 7.95 x Onion, Provolone 3.49 4.45 4.45 4.25

2.19 3.75 5.50 2.19 3.75 5.50 2.50 3.95 Cheese Cake PLATTER WITH FRENCH FRIES

Italian, Blue Cheese, House, 1,000 Island, mesan, Ranch.
Philadelphia Style Pizza & Subs TWO LARGE 16" PIZZAS" TWO 12" MED. PIZZAS Topping Each only \$9. 99

EAT- IN • CARRY-OU SAFE FAST DELIVERY

Limited Delivery Area / 50¢ Charge Per Delivery Minimum \$7 Food Purchase

151 BACK RIVER NECK RD.

Fri. & Sat. 11am - Midnight

Sun. Noon-10pm

(OPPOSITE 7-11 FOOD STORE)

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OVER STUFFED STEAKS PHILADELPHIA STYLE

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ENU 5 MINUTES IN &

Salad Bar • Soup • Meatball Sub Hot Turkey Sandwich French Fries • Onion Rings Green Peppers & Onion Sub Fresh Cooked Italian Sasage Pizza By The Slice

Crispy Cinnamon Ribbons (1/2 dozen) 1.19 Crispy Cinnamon Ribbons (dozen) Baklava Homemade Rice Pudding200

Mon.-Thurs. 11am - 11pm

Prices Subject to MD Sales Tax & Change Without Notice.

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resh Sirced Meats, Lettuce, Tomato, Onions

50¢ PER INCH

Mozzarella Sticks Cole Slaw Gourmet Onion Rings UTZ Potato Chips Available (dozen) 2.25 (dozen) 3.39

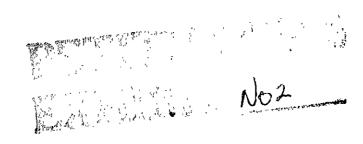
Served with Blue Cheese & Celery Sticks EXTEND ON BO BUFFALO WINGS

pcs...4.50 14 pcs...9.00 28 pcs...16.00

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2 Liter 1.89	1 Liter 1.30	6 Pack of Cans 3.50	12 oz. Cans	₫.	(Carry-Out Only) Coke Products, Ice Tea	32 oz1.35 Refilis 60¢ each	20 oz1.05 Refills 40¢ each	16 oz85¢ Refills 30¢ each	Fountain Sodas

Philadelphia Style Pizza & Subs FOUR 12" MED PIZZAS Philadelphia Style Pizza & Subs. 2" WHOLE SUB 2 of More lopping Pizza

at Reg. Price & Get any Foot Long Sub at



Severna Park

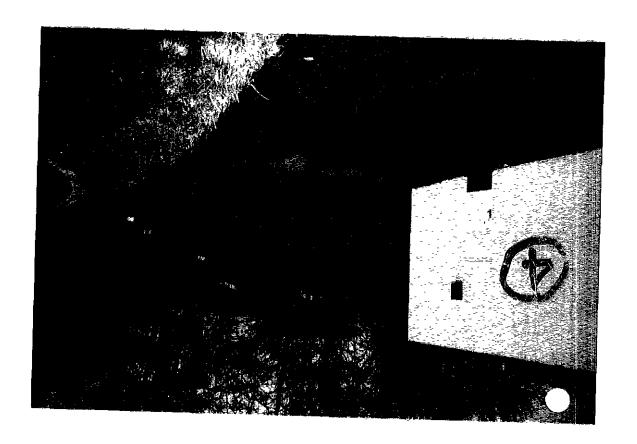
PHILADE

End-Of-Week report March 14, 1997

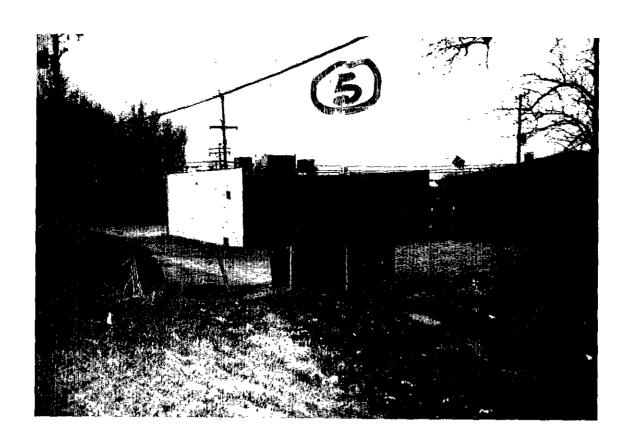
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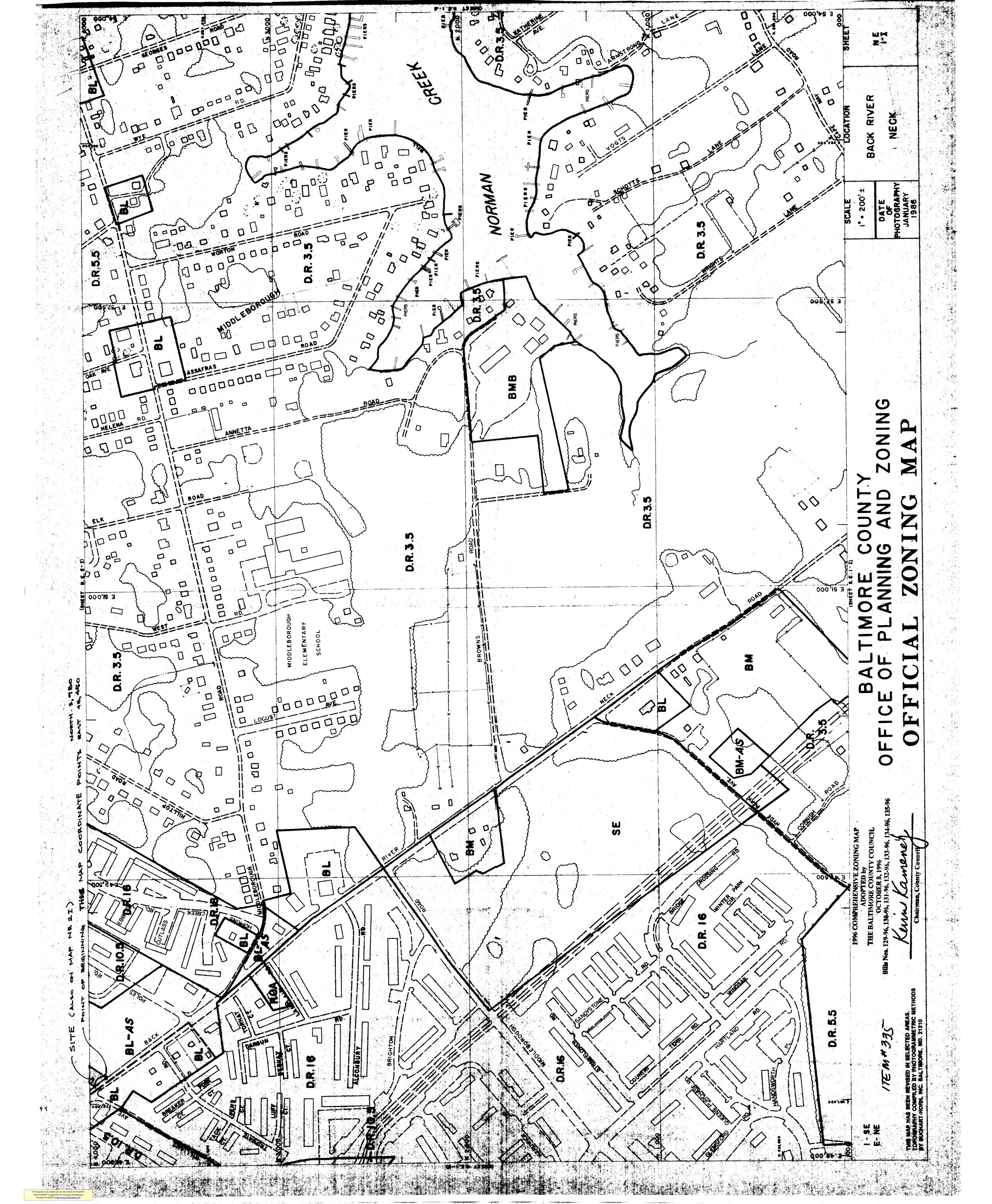


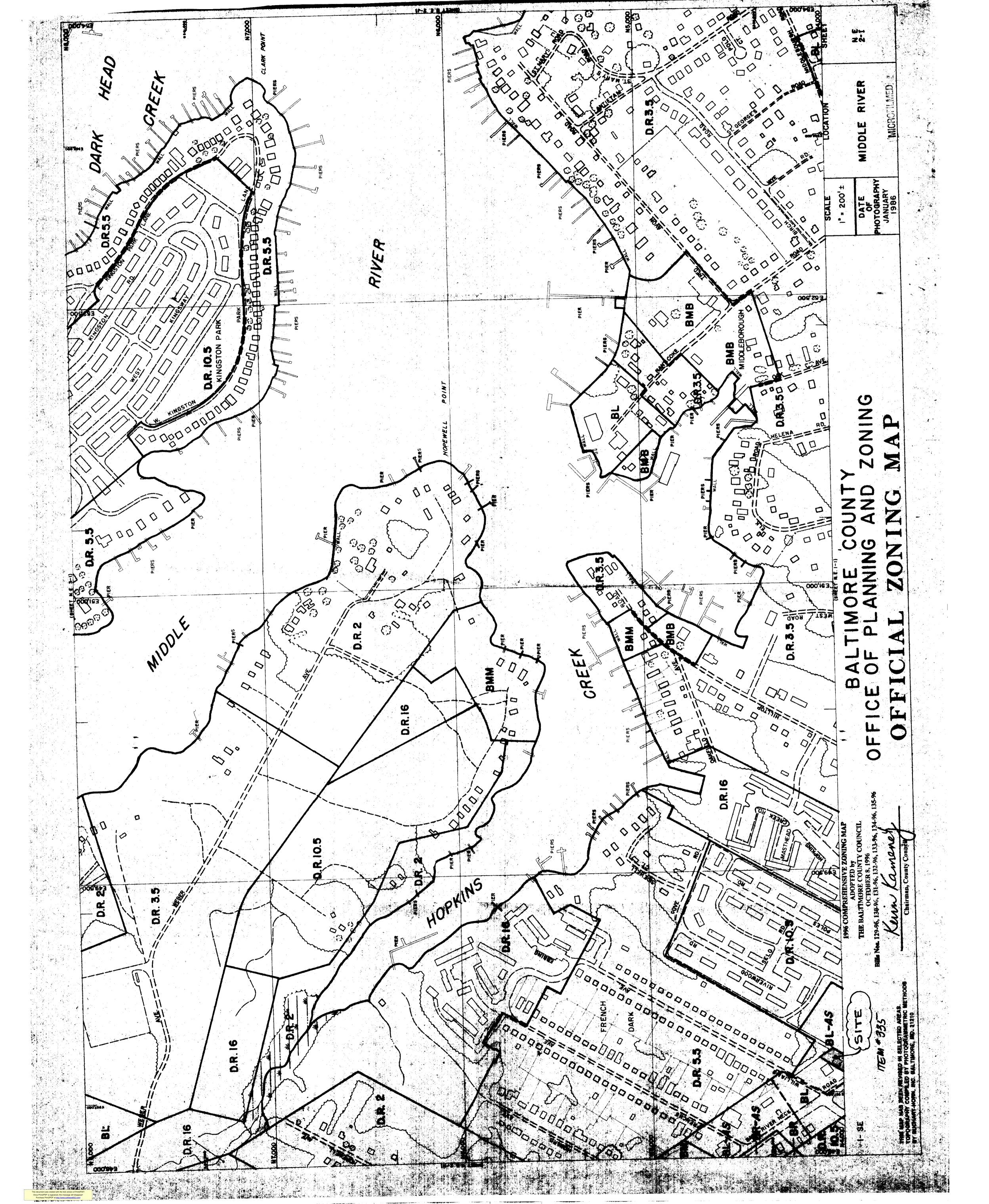


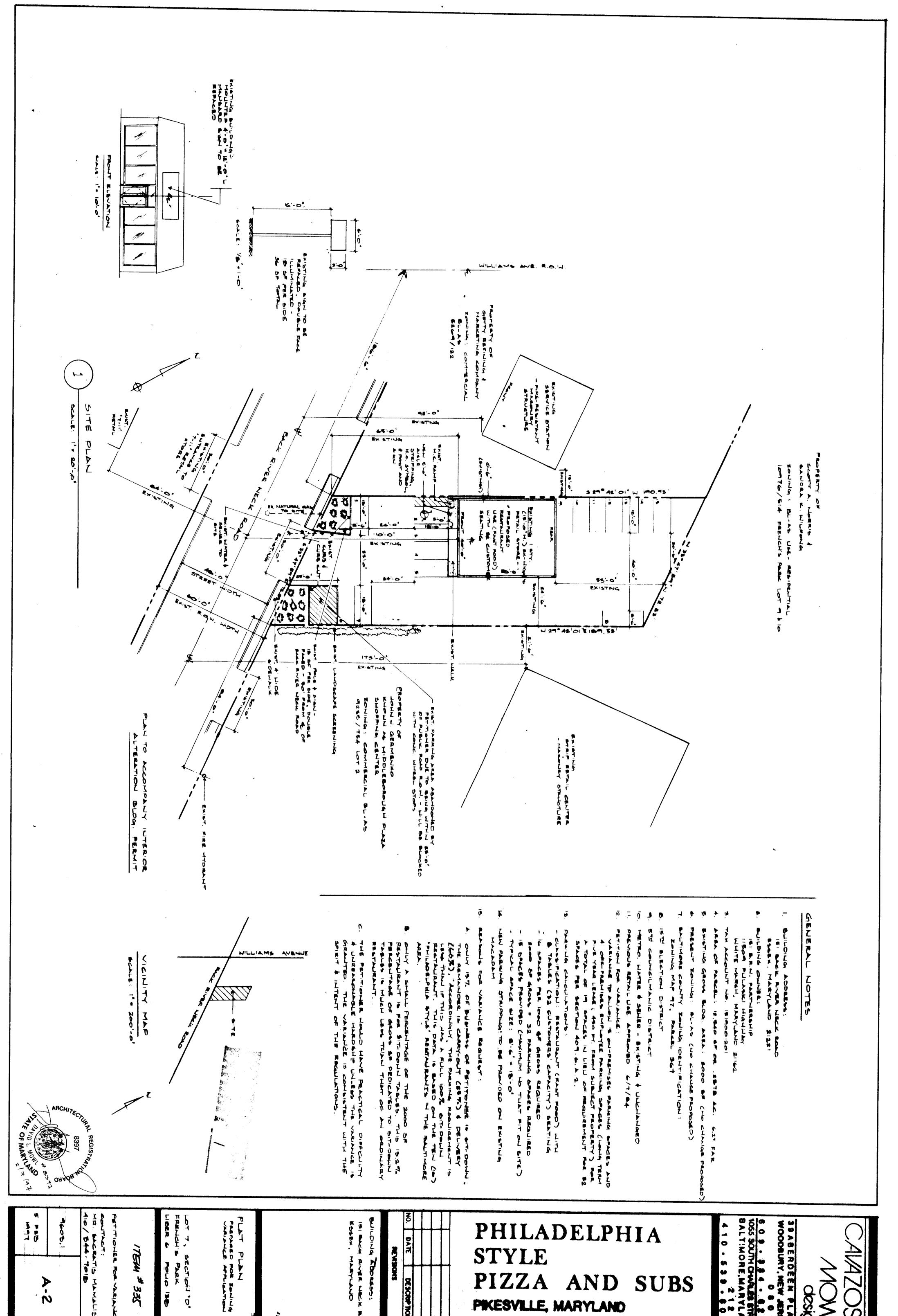












MORELLAND